

## HALL COUNTY BOARD OF SUPERVISORS MEETING AUGUST 14, 2001

The Hall County Board of Supervisors met from adjourned session and by published call August 14, 2001 in the county board meeting room, 121 South Pine, Grand Island, Nebraska at 9:00 a.m.

The meeting was called to order by Chairman Richard Hartman

Invocation was given by Rev. Lonnie Logan.

ROLL CALL: Present on roll call were Scott Arnold, Richard Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster, and Lonnie Logan.

Supervisor Lancaster asked if an executive session could be added to item #13 to discuss filling the election commissioner position. County Attorney Jerry Janulewicz stated that if the executive session qualifies it could be added. A discussion open session might cause needless injury to the reputation of an individual it would qualify. Discussion was held. The executive session will be added later.

Lancaster made a motion and Jeffries seconded to approve the following by consent agenda:

1. Approve the minutes of the July 24th meeting
2. 5a Approve Resolution #01-0043 for no parking signs on county roads September 11, 12 and 13 for Husker Harvest Days
3. 5b Approve Resolution #01-0044 to close two miles of Alda Road for Husker Harvest Days September 11, 12, and 13
4. Accept and place on file the County Treasurer's Report for 1998 and 1999 Delinquent Personal Property Taxes
5. 9a Approve Resolution #01-0045 for exchange of collateral for Five Points Bank
6. 9b Approve Resolution #01-0046 for Additional Collateral for U.S. Bank
7. 12 Approve Resolution #01-0047 for the Sale of Surplus Property
8. Accept and place on file the office reports from the County Clerk, Juvenile Services Howard and Hall County, County Court, County Sheriff and Register of Deeds.
9. Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
10. Accept and place on file communications as received
11. 20 Set the public hearing for the E-911 Surcharge for August 28, 2001 at 10:30 a.m. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

### OFFICE REPORT HALL COUNTY JUVENILE SERVICES JULY 2001

JUVENILE REFERRALS	33 JUVENILES
JUVENILE OFFENDERS	2 JUVENILE
JUVENILE HOUSE ARREST	4 JUVENILES
TOTAL UNDER SUPERVISION	262 JUVENILES
FEES COLLECTED	\$890.00

### OFFICE REPORT HOWARD COUNTY JUVENILE SERVICES

JULY 2001

JUVENILE REFERRALS	1 JUVENILES
TOTAL JUVENILE ENROLLEES	33 JUVENILES
FEES COLLECTED	\$100.00
TOTAL FEES COLLECTED FISCAL YEAR	\$200.00

OFFICE REPORT  
REGISTER OF DEEDS  
JULY 2001

DOCUMENTARY STAMP FEES	\$ 7,250.67
RECORDING FEES	20,111.50
PHOTO FEES	1,655.40

OFFICE REPORT  
HALL CO. SHERIFF  
JUNE 2001

TOTAL FEES MILEAGE & MISCELLANEOUS	\$ 16,110.51
COPIES	76.50
HANDGUN APPLICATIONS	70.00
TITLE INSPECTIONS	3,160.00

OFFICE REPORT  
COUNTY COURT  
JULY 2001

FINES (CO.)	\$56,109.16
OVERLOAD FINES	1,575.00
REIMBURSE SHERIFF FEES	1,530.02
WORK RELEASE FEES	1,636.00
REIMBURSE FAX COPIES	34.00
FINES (CITY)	7,700.00
REIMBURSE WITNESS FEES	542.77
BOND FORFEITURES	2,010.00
REIMBURSE CO. FEES	1.00
TOTAL	\$ 71,137.95

OFFICE REPORT  
JULY 2001

TITLE FEES STATE	\$17,092.25
TITLE FEES COUNTY	\$ 8,792.75
RECORDING FEES	\$ 235.00
MARRIAGE LICENSES	\$ 885.00
PHOTO FEES	\$ 20.70
PLAT BOOKS	\$ 50.00
TOTAL	\$27,075.70

4b SPECIAL RECOGNITION Sheriff Watson stated that he would like to present special recognition to three people Dick Baash, Emmett Arnett and Don Geis. The Sheriff's Department purchased a parcel van from Offut Airforce Base and it needed special attention to transfer the van so it could be used as the special task force van. Dick, Emmet and Don came forward and volunteered their time and labor to put the van together. He presented them with a plaque recognizing they efforts.

Sheriff Watson stated that Deputy John Hinkle was recognized by Health and Human Services and the Nebraska Office of Highway Safety for his effort in the child passenger safety program. He volunteered his own time for the ABC program for child safety. He is also the SARO officer for Hall County. He presented Deputy Hinkle with a plaque.

4a DISCUSS AND APPROVE INTERLOCAL AGREEMENT FOR COOPERATIVE LAW ENFORCEMENT SERVICES. The interlocal agreement for cooperative law enforcement services has been completed and Sheriff Watson is asking for support to approve the agreement. Arnold made a motion and Lancaster seconded to approve the agreement. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

4c UPDATE ON DRUG COURT Sheriff Watson stated that he wanted to update the board on the drug court. They received the \$35,000.00 grant money from the Crime Commission and they have requested funding from Hall, Buffalo and Adams County. They have 25 applications for the drug court administrator. They have been working on this for 21/2 years and they are moving forward.

2a COUNTY ATTORNEY DISCUSS AND TAKE ACTION ON LICENSE AGREEMENT FOR VISITORS CENTER: County Attorney Jerry Janulewicz stated that the Convention Visitors Bureau Visitor Center does not have a license agreement for the Caboose that is located at Morman Island Recreation Area. The center sets on county right of way and Visitors Promotion and the County should have an agreement. If the County Board grants the agreement this will allow the chamber to place the caboose on the right of way. The agreement includes a 90-day clause to terminate the agreement. Logan made a motion and Lancaster seconded to approve the agreement. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

2b DISCUSS AND TAKE ACTION ON CONVEYANCE TO STATE OF NEBRASKA OF RIGHT-OF-WAY FOR I-80 INTERCHANGE: County Attorney Jerry Janulewicz stated according to the interlocal agreement for the South Locust Interchange the county needs to acquire the necessary right of way on South Locust and they have done that but now they need to convey this land to the State of Nebraska. He presented a map of the land. He requested the County Board to authorize the chair to sign the warranty deed to convey the land to the State of Nebraska. It is a total of 26 acres. Jeffries made a motion and Arnold seconded to authorize the chair to sign. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Hartman abstained. Motion carried.

2c DISCUSS RENTAL OF LANDS PURCHASED FROM THE STATE BOARD OF EDUCATIONAL LANDS & FUNDS: County Attorney Jerry Janulewicz stated that they

are still waiting for information on the sale of this land. He pointed out the property that is in question on the map. The property is currently leased by the Overland Trails Council of America for the Boy Scouts. It is south of Camp Augustine property on the West Side of South Locust Street. The Overland Trails Council wants to continue leasing the property, but once it is sold it will require a public hearing and the property must be leased to the highest bidder. Hartman questioned if the county could sell the land to the Boy Scouts. The county is still working with the State of Nebraska for the purchase. The Overland Trails Council still wants to lease the land. Janulewicz stated that the hike and bike trail cuts through the property. Eriksen questioned if the property owners had to be notified by September 1 concerning the leasing of the land. Janulewicz stated they are still working on the transfer of the property.

**2d DISCUSS AND TAKE ACTION REGARDING TAX PROTESTS BEVERLY BROSTROM, STEVE LANCASTER, MARSHALL/HUWALDT AND HAMILTON CHEVROLET:** County Attorney Jerry Janulewicz requested an executive session. He requested that Supervisor Pamela Lancaster leave for the executive session. Lancaster made a motion and Jeffries seconded to go into executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

9:30 a.m. executive session

Jeffries made a motion and Logan seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries and Logan all voted yes and none voted no with Lancaster absent for the vote.

**4e** County Attorney Jerry Janulewicz stated that the protest that was heard by the Hall County Board of Equalization received the protest on the property owned by Marshall/Huwaldt that is the lake behind the Interstate Holiday Inn. This protest and appeal to TERC was reviewed and they determined to try and settle this matter. They would like to offer to confess judgement and make the valuation consistent with the valuation of detention cells. County Attorney Janulewicz is requesting approval to settle for the value of \$4,384.00. Jeffries made a motion and Logan seconded to confess judgement and settle for \$4,384.00. Arnold, Eriksen, Hartman, Humiston, Jeffries and Logan all voted yes and Lancaster abstained. Motion carried.

**4f** The protest that was filed by Hamilton Chevrolet/ Hamilton Investments on the excess land behind the business was reviewed by the county assessor. It was determined there was merit to this requested and they entered into negotiations and want to confess judgement in the amount of \$562,964.00 for the entire property. Arnold made a motion and Eriksen seconded to confess judgement and settle for \$562,964.00. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

**4h APPROVE EASEMENT FOR ELECTRIC TRANSMISSION LINE FOR NPPD.** County Attorney Jerry Janulewicz requested to strike this item because they need to work on the deed.

**PUBLIC PARTICIPATION** Chairman Hartman called for public participation and no responded.

6. DISCUSSION ON COUNTY PICNIC: Logan stated that the picnic committee met and would like to proceed with the employee recognition picnic again this year. County Clerk Marla Conley has contacted catering firms and waiting for costs. It has been scheduled for August 26, 2001 at 1:00 p.m. at Stuhr Museum.

7. SAFETY SUB-COMMITTEE RECOMMENDATION: Logan reported that five applications for a new safety coordinator were received and the safety sub-committee met and reviewed the applications and narrowed them down to two. The interviews were held July 31 and the sub-committee is recommending hiring Robyn Hassel as the new safety coordinator. She works part-time in Juvenile Diversion Department. The committee felt she had good and creative ideas to contribute to the safety committee. Logan made a motion and Jeffries seconded to approve Robyn Hassel as the new safety coordinator. Arnold questioned the number of hours that she works and since the safety coordinator is salaried, would this cause a problem with her hourly wage. County Attorney Jerry Janulewicz stated that he would check on the salaried and hourly wages to make sure that there will no be a problem. Logan amended his motion Jeffries seconded to approve the appointment after review from the county attorney. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

11 DISCUSS AND APPROVE MOVING GIS TO IT'S OWN DEPARTMENT: Lancaster stated that the computer committee and Marsha Medbery with Public Works met to discuss making GIS a separate department. GIS does not belong under the Public Works Department and it has now developed beyond the point of not only benefiting the public works department. It is an asset the register of deeds office, the assessor's office and the public works department, but the assessor and register of deeds. Now the employee is on an hourly wage and could receive overtime. If he was appointed as the department head he would be salaried. The department budget will not be changed for any overtime hours. The computer committee recommends making this change. Lancaster made a motion and Arnold seconded to make GIS a separate department. The current employee will be the department head. Logan questioned if the department would have it's own committee. Arnold stated that the computer committee could oversee this department but a specific committee could be appointed. Lancaster amended her motion and Arnold seconded to make up a new committee to oversee the GIS Department. The committee could include a member of the computer committee, GIS committee and the public works department. Hartman will set up a committee to oversee the department. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

15. DISCUSS RECENT PROPOSED KENO DISTRIBUTIONS: Eriksen requested that this be placed on the agenda and he stated he would like to readdress the Southwest Neighborhood Association's request for keno funds. Jeffries questioned if this could be brought back for review again. Eriksen stated that the Capital Heights swimming pool received funding and this is also a neighborhood project. Hartman expressed concern on the city funds and what they do with their keno funding. Eriksen made a motion and Logan seconded to award \$2,500.00 to the Southwest Neighborhood Association. Jeffries stated that they requested funds last year and did not receive any funding. The city built the park and it was questioned if the city owns the property and if it should be a city park. Discussion was held on the other parks in Doniphan, Wood River and Alda that have received funding for their parks. Arnold stated that the rural people use the parks in small communities. Hartman added that a lot of farm kids use the ballparks in

the small communities. Eriksen, Hartman and Logan voted yes, Humiston abstained Arnold, Jeffries and Lancaster voted no. Motion failed.

#### 18 EXECUTIVE SESSION HEAD START APPEAL AND PENDING LITIGATION:

Jeffries made a motion and Eriksen seconded to go into executive session. Eriksen, Hartman, Humiston, Jeffries, and Logan all voted yes and Lancaster and Arnold voted no. Motion carried.

10:20 a.m. executive session

10:45 a.m. Eriksen made a motion and Lancaster seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

Lancaster made a motion and Arnold seconded that the Hall County Board of Supervisors approve the firm of Feldesman, Tucker and Fidell to represent Hall County on the appeal for the Head Start grant agreement and to seek payment solely from Head Start and to authorize the Chairman and the County Attorney to execute a retainer agreement with the firm. Arnold clarified that the payment is to come from Head Start and not Hall County taxpayers. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

16 DISCUSSION REGARDING TRANSFERRING THE COUNTY ASSESSMENT FUNCTION TO THE STATE PROPERTY TAX ADMINISTRATOR: Hartman stated that the county needs to look at transferring the office to the state. Jeffries stated that this item warrants checking on. Douglas County is considering transferring to the state and the board members received information from Douglas County on this matter. County Attorney Jerry Janulewicz stated that if the County Board wants to do this it needs to be done before December 31<sup>st</sup> of this year. Hartman stated that he will appoint a committee to look at this matter. Lancaster suggested that the county board look at the firm that they use as referees because the same firm also does work for County Assessor Jan Pelland. If the firm is part of the reappraisal process can they be impartial with the taxpayers. She questioned how the same firm could represent the assessor and also set as the referees, this could be a conflict of interest. The assessor could also have appraisers on staff to do the necessary work. Logan stated that the referee firm has been cooperative with the Board of Equalization but he also questioned a conflict of interest. Hartman expressed his concern on the cases that were taken to TERC. The Board of Equalization could not win the case because they did not have time to gather the necessary information. Logan stated that the county assessor has taken a lot of heat from the board but she does a good job and he appreciates the work even though he may not agree with it. Eriksen stated Jerry Janulewicz did a good job at TERC but the board needs to look at this and he would like to see a committee set up and look at all the options that may be available and come back with a recommendation. Lancaster stated her concern on the high and low sales and the comparable that are used in the assessment process. She also stated that when there are a large number of protests from one area this should be looked at. Hartman stated that a committee will be set up and a study will be made.

#### 13 DISCUSS FILLING POSITION OF ELECTION COMMISSIONER EXECUTIVE SESSION

17 EXECUTIVE SESSION PERFORMANCE APPRAISALS Jeffries made a motion and Lancaster seconded to go into executive session for items 13 and 17. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

11:15 a.m. to 11:30 a.m. executive session session item 17

11:30 a.m. to 11:45 a.m. executive session item 13

11:45 a.m. Eriksen made a motion and Logan seconded to go out of executive session Arnold, Eriksen, Hartman, Humiston, Jeffris, Lancaster and Logan all voted yes and none voted no. Motion carried.

Lancaster made a motion and Eriksen seconded to authorize the election committee to continue the process for possible finalists for the election commissioner's position. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

COUNTY BOARD ASSISTANT'S REPORT Board Assistant Stacey Ruzicka requested that the board members let her know if they will be attending the annual NACO Convention and the NACO Central District meetings, so the reservations can be sent in. She also reported the Economic Development Corporation meeting was changed.

BOARD MEMBER'S REPORTS: Logan – no report.

Jeffries – He questioned if the correction department dog will no longer belong to Hall County if the county should send out a work-detail to take down the dog kennel. Hartman stated to let the kennel go. He also requested that the list of surplus property that was attached to the resolution for disposal of the property should be sent to the other departments to see if they could use any of it.

Lancaster – She reported that she went to the County Fair and toured the 4H barns and they are impressive. She also stated that there is an opening on the NIRMA board and if no one else were interested she would like to submit her name and would appreciate a letter of support.

Eriksen - No report

Arnold – He stated he had an election committee meeting.

Humiston – No report.

Hartman – He reported that he attended the TERC hearing in Lincoln and they were not successful.

NEW OR UNFINISHED BUSINESS – Chairman Hartman called for new or unfinished business and no one responded.

Regular meeting adjourned at 11:50 a.m. to go into a board of equalization meeting. The next meeting will be August 28, 2001 at 9:00 a.m.

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Marla J. Conley Hall County Clerk

REMINDER: The County Board meetings may be viewed on GITV Cable Channel 6 and UHF Channel 56 Wednesday at 8:00 a.m. and Friday at 8:00 a.m.